

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 5, between lines 6 and 7, begin a new paragraph and insert:
- 2 "SECTION 4. IC 6-1.1-4-19.5, AS ADDED BY P.L.198-2001, SECTION
- 3 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1,
- 4 2006]: Sec. 19.5. (a) The department of local government finance shall develop
- 5 a standard contract or standard provisions for contracts to be used in securing
- 6 professional appraising services.
- 7 (b) The standard contract or contract provisions must contain:
- 8 (1) a fixed date by which the professional appraiser or appraisal firm shall
- 9 have completed all responsibilities under the contract;
- 10 (2) a penalty clause under which the amount to be paid for appraisal
- 11 services is decreased for failure to complete specified services within the
- 12 specified time;
- 13 (3) a provision requiring the appraiser, or appraisal firm, to make periodic
- 14 reports to the township assessors involved;
- 15 (4) a provision stipulating the manner in which, and the time intervals at
- 16 which, the periodic reports referred to in subdivision (3) of this subsection
- 17 are to be made;
- 18 (5) a precise stipulation of what service or services are to be provided and
- 19 what class or classes of property are to be appraised;
- 20 (6) a provision stipulating that the contractor will generate complete parcel
- 21 characteristics and parcel assessment data in a manner and format
- 22 acceptable to the legislative services agency and the department of local
- 23 government finance; ~~and~~
- 24 (7) a provision stipulating that the legislative services agency and the
- 25 department of local government finance have unrestricted access to the
- 26 contractor's work product under the contract; **and**
- 27 **(8) a provision stipulating that the appraisal firm will not**
- 28 **pay compensation to an individual for data gathering or**
- 29 **property valuation unless the individual has attained the**
- 30 **certification of a "level one" assessor-appraiser.**
- 31 The department of local government finance may devise other necessary

provisions for the contracts in order to give effect to the provisions of this chapter.

(c) In order to comply with the duties assigned to it by this section, the department of local government finance may develop:

- (1) one (1) or more model contracts;
- (2) one (1) contract with alternate provisions; or
- (3) any combination of subdivisions (1) and (2).

The department may approve special contract language in order to meet any unusual situations.

SECTION 5. IC 6-1.1-4-28.5, AS ADDED BY P.L.198-2001, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2006]: Sec. 28.5. (a) Money assigned to a property reassessment fund under section 27.5 of this chapter may be used only to pay the costs of:

- (1) the general reassessment of real property, including the computerization of assessment records;
- (2) payments to county assessors, members of property tax assessment boards of appeals, or assessing officials under IC 6-1.1-35.2;
- (3) the development or updating of detailed soil survey data by the United States Department of Agriculture or its successor agency;
- (4) the updating of plat books; and
- (5) payments for the salary of permanent staff or for the contractual services of temporary staff who are necessary to assist county assessors, members of a county property tax assessment board of appeals, and assessing officials.

(b) All counties shall use modern, detailed soil maps in the general reassessment of agricultural land.

(c) The county treasurer of each county shall, in accordance with IC 5-13-9, invest any money accumulated in the property reassessment fund until the money is needed to pay general reassessment expenses. Any interest received from investment of the money shall be paid into the property reassessment fund.

(d) An appropriation under this section must be approved by the fiscal body of the county after the review and recommendation of the county assessor. However, in a county with an elected township assessor under IC 36-6-5-1 in every township, the county assessor does not review an appropriation under this section, and only the fiscal body must approve an appropriation under this section.

(e) An appropriation under this section may not be used to pay:

- (1) salary of permanent or temporary staff or contractual services for an individual for data gathering or property valuation, unless the individual has attained the certification of a "level one" assessor-appraiser; or**
- (2) salary of an assessing official to compensate that assessing official for data gathering or property valuation, unless the assessing official attains the certification of a "level one" assessor-appraiser. However, the appropriation may be used to pay the salary of an uncertified assessing official for data gathering and property valuation for one (1) year immediately after the assessing official takes office."**

Page 75, delete lines 30 through 42.

Page 76, delete lines 1 through 5.

Page 98, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 64. IC 36-2-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Before the Thursday after the first Monday in August of each year, each county officer and township assessor shall prepare an itemized estimate of the amount of money required for his office for the next calendar year. Each budget estimate under this section must include:

- (1) the compensation of the officer;
- (2) the expense of employing deputies;
- (3) the expense of office supplies, itemized by the quantity and probable cost of each kind of supplies;
- (4) the expense of litigation for the office; and
- (5) other expenses of the office, specifically itemized; that are payable out of the county treasury.

(b) The budget estimate may not include money used to pay:

- (1) the salary of permanent or temporary staff or contractual services for an individual for data gathering or property valuation, unless the individual has attained the certification of a "level one" assessor-appraiser; or**
- (2) the salary of an assessing official to compensate that assessing official for data gathering or property valuation, unless the assessing official attains the certification of a "level one" assessor-appraiser. However, the appropriation may be used to pay the salary of an uncertified assessing official for data gathering and property valuation for one (1) year immediately after the assessing official takes office.**

~~(b)~~(c) If all or part of the expenses of a county office may be paid out of the county treasury, but only under an order of the county executive to that effect, the expenses of the office shall be included in the officer's budget estimate and may not be included in the county executive's budget estimate.

SECTION 65. IC 36-3-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) Before the Wednesday after the first Monday in July each year, the consolidated city and county shall prepare budget estimates for the ensuing budget year under this section.

(b) The following officers shall prepare for their respective departments, offices, agencies, or courts an estimate of the amount of money required for the ensuing budget year, stating in detail each category and item of expenditure they anticipate:

- (1) The director of each department of the consolidated city.
- (2) Each township assessor, elected county officer, or head of a county agency.
- (3) The county clerk, for each court of which he is clerk.

(c) In addition to the estimates required by subsection (b), the county clerk shall prepare an estimate of the amount of money that is, under law, taxable against the county for the expenses of cases tried in other counties on changes of venue.

(d) Each officer listed in subsection (b)(2) or (b)(3) shall append a certificate to each estimate he prepares stating that in his opinion the amount fixed in each item will be required for the purpose indicated. The certificate must be verified by the oath of the officer.

1 (e) An estimate for a court or division of a court is subject to modification and
2 approval by the judge of the court or division.

3 (f) All of the estimates prepared by city officers shall be submitted to the city
4 fiscal officer, and all of the estimates prepared by county officers shall be
5 submitted to the county fiscal officer.

6 (g) The city fiscal officer shall also prepare an itemized estimate of city
7 expenditures for other purposes above the money proposed to be used by the city
8 departments.

9 **(h) The budget estimates prepared by the township assessors**
10 **and the county assessor may not include money used to pay:**

11 **(1) the salary of permanent or temporary staff or**
12 **contractual services for an individual for data gathering or**
13 **property valuation, unless the individual has attained the**
14 **certification of a "level one" assessor-appraiser; or**

15 **(2) the salary of an assessing official to compensate that**
16 **assessing official for data gathering or property valuation,**
17 **unless the assessing official attains the certification of a**
18 **"level one" assessor-appraiser. However, the appropriation**
19 **may be used to pay the salary of an uncertified assessing**
20 **official for data gathering and property valuation for one (1)**
21 **year immediately after the assessing official takes office."**
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23 Page 98, delete lines 35 through 42.

24 Delete page 99.

25 Page 100, delete lines 1 through 2.

26 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed December 2, 2003.)

Senator YOUNG R MICHAEL